

1                   **2**  
2 Michael D. McGranahan  
3 Trustee in Bankruptcy  
4 P.O. Box 5018  
5 Modesto, CA 95352  
6 Phone: (209) 524-1782  
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7                   **THE UNITED STATES BANKRUPTCY COURT**  
8                   **EASTERN DISTRICT OF CALIFORNIA**  
9                   **(SACRAMENTO DIVISION)**  
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11 In re:  
12 SELFA, RICHARD & LYDIA  
13                   Debtor.  
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Case No.: 09-43465  
DC NO.: MDM-2  
Chapter 7  
Date: January 27, 2010  
Time: 9:30 a.m.  
Place: 501 I Street, 6<sup>th</sup> Floor  
Courtroom 35  
Sacramento, CA 95814  
Judge: Hon: Christopher Klein  
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18                   **MOTION TO ABANDON REAL PROPERTY**  
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20 **TO: THE HONORABLE U.S. BANKRUPTCY JUDGE:**

21                   **MICHAEL D. McGRANAHAN**, the duly qualified and acting Trustee in this case,  
22 pursuant to 11 U.S.C. § 554 (a) and Bankruptcy Rule 6007, respectfully represents:

- 23                   1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1134 and  
24 § 157 (a).  
25                   2. On July 31, 2009 the debtor filed a petition under Chapter 7 in the above-  
26 entitled court and MICHAEL D. McGRANAHAN was appointed as Trustee.  
27                   3. Among the assets which constitute property of the estate is the real property  
28 commonly described as:

- A. 3040 Modoc Ave., Stockton, CA 95204 ("Property A")
  - B. 2024 Pawnee Way, Stockton, CA 95209 ("Property B")
  - C. 2340 Christina Ave., Stockton, CA 95204 ("Property C")

4. The aforementioned properties have the following values and encumbrances:

<u>PROPERTY</u>	<u>VALUE</u>	<u>DEBT</u>
Property A	\$120,000	\$344,559
Property B	\$100,000	\$290,920
Property C	\$130,000	\$258,299

5. The estate would potentially suffer tax consequences should these Properties be foreclosed upon while the case is pending.

**WHEREFORE**, the Trustee requests the Court to examine the facts and circumstances in connection with this matter, and authorize the Trustee to abandon the above-described real property back to the debtor on the grounds that it is burdensome and of inconsequential value to the estate, and for such other and further relief as the Court may deem just and proper.

DATED: December 13, 2009

/s/ Michael D. McGranahan  
MICHAEL D. MCGRANAHAN  
Trustee in Bankruptcy